

## II. REMARKS

### **Request for Telephonic Interview**

In a telephone call with the examiner's supervisor on 10/16/2007, applicant's representatives learned that the examiner assigned to this case is no longer with the Office, and that re-assignment to another examiner is pending. In order to help familiarize the new examiner with the disclosure of the subject application and to more expeditiously advance the prosecution of the application, applicant hereby requests a telephonic interview between applicant's representatives and the new examiner prior to taking action on the amendments included in this response. Attached with this response is a completed interview request.

### **Claim Rejections - 35 U.S.C. § 112**

Claims 1, 8, 15 and 22 have been rejected under 35 U.S.C. § 112 as having insufficient antecedent basis for some of the limitations recited therein. In response, applicant has amended Claims 1, 8, 15 and 22 to include the requisite antecedent basis.

### **Claim Rejections - 35 U.S.C. § 101**

Claims 1-28 have been rejected 35 U.S.C. § 101 on the basis that the language of the claims is directed to non-statutory subject matter, i.e., functionally descriptive material such as computer programs. In response, applicant has rewritten the claims to more clearly recite the functionally descriptive material as being stored on a computer-readable medium, as suggested by the examiner.

### **Claim Rejections – 35 U.S.C. § 102**

Claim 1 stands rejected under 35 U.S.C. § 102(b) a being anticipated by U.S. Pat. No. 5,410,754 to Klotzbach et al. ("Klotzbach"). In response, applicant has amended Claim 1 to more clearly distinguish over the Klotzbach reference. In particular, Claim 1 has been rewritten to recite an apparatus for facilitating communication between a control station and a remote device via a packet-switching network, the control station and remote device using non-packet-switched signals to effect the communication. Accordingly, the limitations of the claim have been amended to more clearly recite the

structure of the apparatus at the control station and at the remote device to accomplish said communication.

In contrast, the system of Klotzbach is merely an interface between a telephone wire-line and an Ethernet or similar local area network (col. 2, lines 1-8; Figs. 2A, 2B). As such, the system of Klotzbach only facilitates the interface of a remote host to a telephone wire-line and does not address a way to allow a control station and a remote device, both of which generate and receive non-packet-switched communication signals, to communicate with each other via a packet-switching network. Applicant therefore submits that Claim 1, as amended, is clearly patentable over the Klotzbach reference.

Claims 2-14 depend ultimately from Claim 1 and each add limitations that further distinguish the claimed invention from the prior art. As such, applicants submit that Claims 2-14 are also now allowable.

Independent Claim 15 has been amended in a manner similar to Claim 1. Applicant submits that amended Claim 15 is now allowable for the same reasons as discussed above for Claim 1.

Claims 16-28 depend ultimately from Claim 1 and each add limitations that further distinguish the claimed invention from the prior art. As such, applicants submit that Claims 16-28 are also now allowable.

### **Claim Rejections – 35 U.S.C. § 103**

Claims 2 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klotzbach in view of U.S. Patent No. 6,160,819 to Partridge et al. (“Partridge”). Claim 2 depends from Claim 1 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 1 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 2 is also now allowable. Likewise, Claim 16 depends from Claim 15 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 15 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 16 is also now allowable.

Claims 3 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klotzbach in view of U.S. Patent No. 6,393,483 to Latif et al. (“Latif”). Claim 3 depends from Claim 1 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 1 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 3 is also now allowable. Likewise, Claim 17 depends from Claim 15 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 15 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 17 is also now allowable.

Claims 4 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klotzbach in view of U.S. Patent No. 6,108,300 to Coile et al. (“Coile”). Claim 4 depends from Claim 1 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 1 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 4 is also now allowable. Likewise, Claim 18 depends from Claim 15 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 15 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 18 is also now allowable.

Claims 5 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klotzbach and Coile in view of U.S. Patent No. 6,034,963 to Minami et al. (“Minami”). Claim 5 depends ultimately from Claim 1 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 1 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 5 is also now allowable. Likewise, Claim 19 depends ultimately from Claim 15 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 15 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 19 is also now allowable.

Claims 7-8 and 21-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klotzbach in view of U.S. Patent No. 5,961,626 to Harrison et al. (“Harrison”). Claims 7 and 8 depend from Claim 1 and each adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 1 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claims 7 and 8 are also now allowable. Likewise, Claims 21 and 22 depend from Claim 15 and each adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 15 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claims 21 and 22 are also now allowable.

Claims 9 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klotzbach in view of U.S. Pat. App. Pub. No. 2002/0090001 filed by Beckwith (“Beckwith”). Claim 9 depends from Claim 1 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 1 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 9 is also now allowable. Likewise, Claim 23 depends from Claim 15 and adds limitations that further distinguish the claimed invention from the prior art. Applicant submits that amended Claim 15 is now in form for allowance for the reasons stated above (see “Claim Rejections – 35 U.S.C. § 102”). As such, applicant submits that Claim 23 is also now allowable.

### **III. CONCLUSION**

It is noted that the examiner has cited but not applied U.S. Pat. Nos. 5,007,050, 5,675,584 and 5,574,553 against applicant's claimed invention. Apparently, the examiner has concluded that the unasserted art, whether considered in part or in combination, neither anticipates nor renders obvious applicant's claimed invention.

For the reasons discussed above, applicants submit that amended Claims 1-28 of the pending application are patentable over all the prior art of record. It is believed that the application is now in form for allowance and favorable action by the examiner is requested.

Respectfully Submitted,

/Michael A. Forhan/

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